

laid down more than once in the course of the next century. The latter again and again forbade burgesses to take proceedings in the courts Christian, and fined those who disregarded the prohibition.⁷¹ Both, in spite of repeated protests from the clergy/¹ made good their pretension to handle usurious contracts in secular courts ; but neither succeeded in ousting the jurisdiction of the Church. The question at issue was not whether the usurer should be punished—a point as to which there was only one opinion—but who should have the lucrative business of punishing him, and in practice he ran the gauntlet of all and of each. Local authorities, from the City of London to the humblest manorial court, make byelaws against "unlawful chevisance" and present offenders against them." The Commons pray that Lombard brokers may be banished, and that the ordinances of-London concerning them may be made of general application.⁸⁰ The justices in eyre hear indictments of usurers,⁸¹ and the Court of Chancery handles petitions from victims who can get no redress at common law.⁸⁸ And Holy Church, though there seems to be only one example of legislation on the subject by an English Church Council,⁸⁵ continues to deal with the usurer after her own manner. For, in spite of the conflict of jurisdictions, the rising

resentment against the ways of
ecclesiastical lawyers,
and the expanding capitalism of the later
Middle Ages,
it is evident that commercial cases
continued, on
occasion at least, to come before the courts
Christian.

Nor, after the middle of the fourteenth
century, was
their right to try cases of usury contested
by the secular
authorities. A statute of 1341 enacted
that (as laid
down long before) the King should have
cognizance of
usurers dead, and the Church of usurers
living. The
same reservation of ecclesiastical rights
was repeated
when the question was taken up a century
later under
Henry VII, and survived, an antiquated piece
of common